

# Lowell Zoning Board of Appeals Minutes

**April 25, 2022 6:30 P.M.**

**Note:** These minutes are not completed verbatim. For further detail, contact the Division of Development Services, 375 Merrimack Street, Lowell, MA, or refer to video recordings available online at [www.LTC.org](http://www.LTC.org).

**Members Present:** Chairman Perrin, Vice Chair Pech, Member Callahan, Member Briere, Member Procopé, Member Njoroge

**Members Absent:** Member McCarthy

**Others Present:** Serena Gonzalez, Assistant Planner

*The following represents the actions taken by the Zoning Board of Appeals at the 4/11/2022 meeting. This meeting was held in the City Council chambers. However, due to the COVID-19 pandemic, attendees had the ability to participate via Zoom as permitted by the Governor's 3/10/2020 emergency order to suspend certain provisions of the Open Meeting Law.*

*Chairman Perrin called the meeting to order at 6:42 PM*

## **I. Continued Business**

### **ZBA-2022-3**

*Petition Type:* **Variance**

*Applicant:* **505 Capital Partners, LLC**

*Property Located at:* **38-40 Swift Street 01852**

*Applicable Zoning Bylaws:* **Section 5.1 and Section 6.1.10**

*Petition:* **505 Capital Partners, LLC has applied to the Zoning Board of Appeals to subdivide the existing lot at 38-40 Swift Street and construct a new two-family dwelling on the new lot. The property is located in the Traditional Neighborhood Two-Family (TTF) zoning district and requires Variance approval under Section 5.1 for minimum lot area per dwelling unit, minimum frontage, minimum and maximum front yard setbacks, minimum side yard setback, and minimum rear yard setback, under Section 6.1.10 to exceed the maximum allowed curb cut, and for any other relief required under the Lowell Zoning Ordinance.**

On Behalf:

None

Speaking In Favor:

None

Speaking in Opposition:

None

Discussion:

None

Motion:

S Callahan motioned to continue to June 27 seconded by M Briere. Approved unanimously (5-0).

**ZBA-2022-11**

***Petition Type: Variance***

***Applicant: Lynn Lowell LLC***

***Property Located at: 4-8 Wiggin Street & 153 Willie Street, 01854***

***Applicable Zoning Bylaws: Section 5.1 and Section 6.1***

***Petition:*** Lynn Lowell LLC has applied to the Zoning Board of Appeals and Planning Board to construct a 12-unit residential structure on the currently vacant lots at 4-8 Wiggin Street & 153 Willie Street. The subject property is located in the Urban Multi-Family (UMF) zoning district. The project requires Site Plan Review approval pursuant Section 11.4.2 from the Planning Board, Variance approval from the Zoning Board of Appeals pursuant Section 5.1 for relief from the minimum side yard setback, and minimum rear yard setbacks, pursuant Section 6.1 for relief from the minimum off-street parking requirement, and any other relief required under the Lowell Zoning Ordinance.

On Behalf:

None

Speaking In Favor:

None

Speaking in Opposition:

None

Discussion:

None

Motion:

S Callahan motioned to continue to June 13 seconded by M Briere approved unanimously (5-0).

**ZBA-2022-16**

***Petition Type: Variance***

***Applicant: Madgi Mikhael***

***Property Located at: 22 Bellevue Street 01851***

***Applicable Zoning Bylaws: Section 5.1 & 6.1***

***Petition:*** Madgi Mikhael has applied to the Planning Board and Zoning Board of Appeals seeking Special Permit and Variance approval at 22 Bellevue Street. The applicant seeks to convert the existing two-family residential building into a three-family residential building. The subject property is located in the Traditional Multi-Family (TMF) zoning district. The proposal requires Special Permit approval from the Planning Board pursuant Article 12.1(c) to expand a residential structure to three units, Variance approval pursuant Section 6.1 for relief from the off-street

parking requirement and off-street parking dimensions, Section 5.1 for relief from the minimum lot area per dwelling unit and minimum usable open space per dwelling unit requirements, and any other relief required under the Lowell Zoning Ordinance. The applicant requires a continuance to the May 11<sup>th</sup> meeting.

On Behalf:

None

Speaking In Favor:

None

Speaking in Opposition:

None

Discussion:

None

Motion:

S Callahan motioned to continue to June 13 seconded by M Briere. Approved unanimously (5-0).

## **II. New Business**

### **ZBA-2022-20**

*Petition Type:* **Variance**

*Applicant:* **Mehida Gonzalez**

*Property Located at:* **105 Longmeadow Drive 01852**

*Applicable Zoning Bylaws:* **Section 5.1**

*Petition:* **Mehida Gonzalez has applied to the Zoning Board of Appeals to construct an addition to her single family home at 105 Longmeadow Drive. The property is located in the Suburban Single Family (SSF) zoning district, and requires two variances for Maximum Floor-Area-Ratio and minimum lot size under Section 5.1, and any other relief required under the Lowell Zoning Ordinance.**

On Behalf:

Mehida Gonzalez, 105 Longmeadow Dr Lowell, Applicant

Dorcas Gonzalez, 105 Longmeadow Dr Lowell, Applicant's Daughter

Speaking In Favor:

None

Speaking in Opposition:

None

Discussion:

V Pech asked about the shed. D Gonzalez said that the shed is being removed.

V Pech asked if they saw the engineering comments. M Gonzalez said that they would do whatever they need to do.

S Callahan asked for updated plans that show the shed is removed. S Callahan said that the new plans should show the walkway going up to the new entryway.

G Procope agreed that updated plans should be submitted

R Njoroge said that he supports the application as long as the applicant complies with DPDs conditions.

Motion:

S Callahan motioned to approve the variances with the condition that the applicant submits updated plans showing the removal of the shed and the proposed walkway with the materials, seconded by M Briere. Approved unanimously (5-0).

**ZBA-2022-21**

*Petition Type:* **Variance**

*Applicant:* **Manuel Bermeo**

*Property Located at:* **225 Cross Street 01854**

*Applicable Zoning Bylaws:* **Section 5.1**

*Petition:* **Manuel Bermeo has applied to the Zoning Board of Appeals for the construction of a deck and the associated stairs at 225 Cross Street. The property is located in the Traditional Multi Family zoning district, and requires a variance for side yard setbacks under Section 5.1 and any other relief required under the Lowell Zoning Ordinance.**

On Behalf:

None

Speaking In Favor:

None

Speaking in Opposition:

None

Discussion:

None

Motion:

S Callahan motioned to continue to June 27 seconded by G Procope. Approved unanimously (5-0).

**ZBA-2022-25**

*Petition Type:* **Variance**

*Applicant:* **Kenneth Lania, on behalf of JAF 27, LLC**

*Property Located at:* **90 Lupine Road 01850**

*Applicable Zoning Bylaws:* **Section 5.1**

*Petition:* Kenneth Lania, on behalf of JAF 27, LLC, has applied to the Zoning Board of Appeals seeking Variance approval at 90 Lupine Road. The applicant proposes to construct a new single family dwelling structure on a vacant parcel. The proposed project is located in the Traditional Single Family (TSF) zoning district and requires Variance(s) approval for minimum lot size, minimum lot area per dwelling unit, minimum frontage, and floor to area ratio (FAR) from the Zoning Board under Section 5.1 of the Lowell Zoning Ordinance and any other relief required.

On Behalf:

None

Speaking In Favor:

None

Speaking in Opposition:

Discussion:

None

Motion:

S Callahan motioned to continue to June 13 seconded by M Briere approved unanimously 5-0

### **III. Other Business**

**Minutes for Approval:**

4/25/2022 meeting minutes

Motion:

Motion by S Callahan to accept the minutes, which was seconded by M Briere. The minutes were accepted (4-0). S Callahan abstained.

### **IV. Adjournment**

Motion to adjourn by S Callahan, seconded by M Briere. The vote was unanimous (5-0). Meeting adjourned at 7:01 PM.